

## Message Text

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PAGE 01 STATE 015704

46

ORIGIN L-03

INFO OCT-01 EA-11 ISO-00 PM-07 DODE-00 SS-20 CIAE-00

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DRAFTED BY L/EA:EGVERVILLE:LMS

APPROVED BY EA:RSNEIDER

L/PM:JMICHEL(DRAFT)

PM/ISO:DPASSAGE(DRAFT)

L/T:EMCDOWELL(INFO)

OSD/ISA:RGLONG

EA/ANP:LMOSE(RDRAFT)

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R 241705Z JAN 74

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

C O N F I D E N T I A L STATE 015704

E.O. 11652: GDS

TAGS: PFOR, MARR, AS, US

SUBJ: CIRCULAR 175 AUTHORITY - NORTH WEST CAP

REF: CANBERRA 344

1. CIRCULAR 175 AUTHORITY HAS BEEN OBTAINED FOR THE CONCLUSION OF AN EXCHANGE OF NOTES AMENDING THE 1963 AGREEMENT WITH AUSTRALIA PERTAINING TO THE ESTABLISHMENT OF U.S. NAVAL COMMUNICATIONS STATION AT NORTH WEST CAPE (TIAS 5377). TEXT OF CIRCULAR 175 PACKAGE BEING POUCHED FOR YOUR INFORMATION. TEXT OF USG NOTE PROPOSING AMENDMENT WAS WORKED OUT DURING BARNARD VISIT IN MEETINGS BETWEEN U.S. AND AUSTRALIAN REPRESENTATIVES. WE ASSUME ON BASIS THOSE MEETINGS AND BARNARD/SCHLESINGER TALK CONFIRMING AGREEMENT TO NOTES THAT TEXT IS NOW FULLY AGREED.

2. TEXT OF USG NOTE IS AS FOLLOWS:

CONFIDENTIAL

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PAGE 02 STATE 015704

QTE EXCELLENCY, I HAVE THE HONOR TO REFER TO RECENT DISCUS-

SIONS BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS CONCERNING THE FUTURE JOINT OPERATION AND UTILIZATION BY UNITED STATES AND AUSTRALIAN FORCES OF THE PRESENT NAVAL COMMUNICATION STATION AT NORTH WEST CAPE IN THE STATE OF WESTERN AUSTRALIA. IN ACCORDANCE WITH THE UNDERSTANDINGS REACHED IN THOSE DISCUSSIONS, I HAVE THE HONOR TO PROPOSE

THAT THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF AUSTRALIA CONCERNING THE SAID STATION WHICH ENTERED INTO FORCE ON JUNE 28, 1963 AND WAS AMENDED WITH EFFECT FROM JULY 1, 1968, BE FURTHER AMENDED AS FOLLOWS:

1. ARTICLE 1 IS AMENDED TO READ:

"IN ACCORDANCE WITH THE TERMS AND CONDITIONS SET OUT IN THIS AGREEMENT, THE UNITED STATES GOVERNMENT MAY ESTABLISH MAINTAIN AND OPERATE A NAVAL COMMUNICATION STATION (IN THIS AGREEMENT CALLED 'THE STATION') AT NORTH WEST CAPE IN THE STATE OF WESTERN AUSTRALIA. THE STATION SHALL BE OPERATED BY THE ARMED FORCES OF THE TWO GOVERNMENTS AS A JOINT FACILITY."

2. ARTICLE 2 IS AMENDED TO READ:

"THE AUSTRALIAN GOVERNMENT WILL ACQUIRE SUCH LAND AS IS REQUIRED FOR THE PURPOSES OF THE STATION. ALL LAND SO ACQUIRED WILL REMAIN VESTED IN THE AUSTRALIAN GOVERNMENT, WHICH WILL FOR THE DURATION OF THIS AGREEMENT GRANT TO THE UNITED STATES GOVERNMENT ALL NECESSARY RIGHTS OF ACCESS TO SUCH LAND, AND OF EXCLUSIVE USE AND OCCUPANCY THEREOF SUBJECT TO THE PROVISIONS OF ARTICLES 1 AND 4."

3. ARTICLE 14 IS AMENDED TO READ:

"EXCEPT AS OTHERWISE PROVIDED IN THIS AGREEMENT, THE CONSTRUCTION, MAINTENANCE AND OPERATION OF THE STATION WILL BE WITHOUT COST TO THE AUSTRALIAN GOVERNMENT (OTHER THAN COSTS INCURRED DIRECTLY BY THE AUSTRALIAN GOVERNMENT ON BEHALF OF ITS ARMED FORCES). THE AUSTRALIAN GOVERNMENT

CONFIDENTIAL

PAGE 03 STATE 015704

WILL REIMBURSE THE UNITED STATES GOVERNMENT FOR SUCH EXPENSES AS THE COOPERATING AGENCIES OF THE TWO GOVERNMENTS AGREE SHOULD BE MET BY AUSTRALIA FOR THE USE OF THE STATION BY ITS FORCES."

ALL OTHER PROVISIONS OF THE AGREEMENT WOULD REMAIN IN FULL FORCE AND EFFECT WITHOUT CHANGE.

IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA, I HAVE THE HONOR FURTHER TO PROPOSE THAT YOUR EXCELLENCY'S REPLY TO THAT EFFECT, TOGETHER WITH THIS NOTE, SHALL CONSTITUTE AN AGREEMENT BETWEEN THE TWO GOVERNMENTS EFFECTIVE FROM THE DATE OF YOUR EXCELLENCY'S REPLY.

ACCEPT EXCELLENCY, THE ASSURANCES OF MY HIGHEST CONSIDERATION. UNQTE

3. TEXT OF AUSTRALIAN REPLY NOTE WAS NOT DISCUSSED DURING MEETINGS IN WASHINGTON BUT ASSUME IT WILL BE STANDARD REPLY NOTE REFERRING TO USG NOTE AND GOA'S ACCEPTANCE AND RESULTING AGREEMENT BETWEEN THE TWO GOVERNMENTS EFFECTIVE FROM THE DATE OF GOA REPLY.

4. WOULD APPRECIATE EMBASSY'S CONFIRMATION AFTER MEETINGS WITH PRITCHARD OF GOA AGREEMENT TO TEXT OF USG NOTE AND ALSO TEXT OF GOA NOTE. ASSUMING NO CHANGES, YOUR AUTHORITY IS IN ORDER TO PROCEED WITH SCENARIO PARA 2 REFTEL. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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